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Councillors are invited to attend the Annual General Meetings of the Management Committees – *Highlighted in Bold*

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<tr>
<td>East Bowral Community Centre Management Committee</td>
<td>Tuesday 27 March 2018</td>
<td>4.30pm</td>
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<tr>
<td>Mittagong Memorial Hall Management Committee</td>
<td>Thursday 5 April 2018</td>
<td>7.00pm</td>
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<tr>
<td>Moss Vale Community Centre Management Committee</td>
<td>Monday 16 April 2018</td>
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<td>Moss Vale Community Centre</td>
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<tr>
<td>Bong Bong Common Management Committee</td>
<td>Tuesday 1 May 2018</td>
<td>2.00pm</td>
<td>Jellore room, Civic Centre</td>
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<tr>
<td>Loseby Park Management Committee</td>
<td>Friday 11 May 2018</td>
<td>9.30am</td>
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<td>Robertson Community Centre Management Committee</td>
<td>Monday 14 May 2018</td>
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<td>Tuesday 22 May 2018</td>
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<tr>
<td>Exeter Hall Management Committee</td>
<td>Monday 4 June 2018</td>
<td>5.00pm</td>
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<tr>
<td>Exeter Hall Management Committee AGM</td>
<td>Monday 16 July 2018</td>
<td>5.00pm</td>
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In 2017, following community consultation, Council approved a new Urban Backyard Burning of Vegetation Policy. The new policy will come into effect on 1 April 2018, following the end of the Bushfire Danger Period. Anyone who is planning to undertake a burn this season will need to check the new policy to make sure their burn meets the new rules.

The new rules mean that there is now a consistent approach across the shire. Properties that are 4000 square metres and above, that are not zoned medium density (R3), are able to burn. An interactive online map is available on Council’s website to see if burning can occur on a particular property.

For properties that are able to burn, the RFS Standard for Pile Burning needs to be followed. The Standard describes how to burn safely and has requirements for things such as pile size, where to place a fire, burning only dead and dry vegetation and providing notice to neighbours.

Everyone has an obligation to minimise smoke and the impact on neighbours.

The policy does not apply to wood heaters, barbeques and agricultural burning. The policy has more details on exemptions.

Different approvals are required for hazard reduction burning, clearing for development, threatened species and endangered ecological communities.

More information on the new policy is available on Council’s website.
ITEM NO: 3

SUBJECT: REQUEST FOR SECTION 82A REVIEW OF DETERMINATION
– DA 17/0979 - TELECOMMUNICATIONS FACILITY,
MOUNT ALEXANDRA RESERVE, 46 MERANIE STREET,
WELBY

CONTACT NAME: Nick Wilton, Group Manager Planning Development and
Regulatory Services

FILE NUMBER: 17/0979.01

The purpose of this Weekly Circular is to inform Councillors of a request to review Council’s
determination of development application 17/0979, which seeks consent to erect a building
and carry out works for the purpose of a telecommunications facility at Mount Alexandra
Reserve, 46 Meranie Street, Welby.

Site Description

The site is known as Lot 7307 DP 1146411, being Mount Alexandra Reserve, 46 Meranie
Street Welby. (Attachment 1).

The land occupies an area of approximately 82.5ha known as Mt Alexander Reserve, at the
northern end of Meranie Street in Welby. It also adjoins the Hume Motorway, Colo Street
and Currockbilly Street. The lot has undulating topography with varying slopes. It is mainly
occupied by native trees and shrubs, along with a network of informal walking trails and the
like. Welby Heights Hockey Fields are also partially located on the land.

The proposed development site itself is not accessible by vehicle and generally slopes
gently from south to north, towards an unnamed intermittent watercourse that flows
northwards to Nattai Creek. It is heavily vegetated with native trees and shrubs. Surrounding land uses include low density residential accommodation development around 140m to the southwest (across Colo Street), the former Welby garbage depot around 430m
to the northeast, and Welby Cemetery around 320m to the northwest.

Proposed Development

On 25 July 2017, Optus Mobile Pty Ltd made DA 17/0979, seeking consent to erect a
building and carry out works for the purpose of a telecommunications facility comprising:

- A 30m monopole
- Three panel antennae
- A radio communication dish
- A two bay outdoor equipment cabinet
- Ancillary equipment
- A 38.4m² compound delineated by 2400mm chain mesh security fencing.

Council determined DA 17/0979 by way of refusal on 9 January 2018, nominating the
following reasons for refusal:

1. Council considers that the proposal does not comply with the E2 Environmental Conservation
zone objectives under Wingecarribee Local Environmental Plan 2010 on the basis that the
development would destroy, damage or otherwise have an adverse effect on the environmental
conservation values which aim to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.

(Section 79C (1) (a) of the Environmental Planning and Assessment Act 1979)

2. Council considers the proposal is unsatisfactory in terms of the principles and objectives set out in Sections A3.1(a) and (c) – Ecologically Sustainable Development of the Rural Lands Development Control Plan. Council considers there are impacts on threatened species and ecological communities from the proposal warranting application of the Precautionary Principle as the threat of serious or irreversible harm has not been comprehensively considered and addressed. Additionally, the proposal is not consistent with the principles of ESD in that there is a net loss from the development.

(Section 79C (1) (a) (iii) and 79C (1) (b) of the Environmental Planning and Assessment Act 1979)

3. The proposed development is inconsistent with the general principles and objectives under Sections A4.2.1 – A4.2.3 - Vegetation Management, of the Rural Lands Development Control Plan in that impacts on biodiversity and threatened species are increased.

(Section 79C (1) (a) (iii) and 79C (b) of the Environmental Planning and Assessment Act 1979)

4. The development does not comply with Section A4.7.1(a) and (b) - Protection of Trees, Bushland and Vegetation During Construction & Development of the Rural Lands Development Control Plan. Council considers that the proposed and future clearing required to accommodate the telecommunication facility and associated Asset Protection Zone (APZ) will compromise the viability of the remaining vegetation through increased impacts of weed invasion, altered soil and landform profiles, and regular maintenance activities of both the APZ and vehicle access to maintain the facility.

(Section 79C (1) (a) (iii) 79C (b) of the Environmental Planning and Assessment Act 1979)

5. The proposal is inconsistent with the objective of preserving the amenity, biodiversity, and ecology through the preservation of trees and other vegetation as required under Section A4.11.1 - Preservation of Trees and Other Vegetation and Section A10.6(d) Location of Telecommunication Facilities of the Rural Lands Development Control Plan.

(Section 79C (1) (a) (iii) and 79C (b) of the Environmental Planning and Assessment Act 1979)

6. Council considers that the site is unsuitable for the proposed development given it contains species of Persoonia glaucecens which is listed at both State and National level as a Threatened Species with many more individuals present on site than has been identified in the Flora and Fauna impact assessment. The species remains inadequately conserved as most populations are outside conservation estate. The inadequacy of preservation means that any area of known habitat is significant.

(Section 79C (1) (c) of the Environmental Planning and Assessment Act 1979)

7. Council considers that approval of the proposal would not be in the public interest.

(Section 79C (1) (e) of the Environmental Planning and Assessment Act 1979)

On 21 February 2018 Council received the applicant’s request to review Council’s determination of the application under s82A of the EPA Act 1979. Elevations and site plan of the proposal can be found at Attachment 2.
Permissibility

Under Wingecarribee Local Environmental Plan 2010 (the LEP), the land is zoned E2 Environmental Conservation and RE1 Public recreation, but the development site itself is in the E2 zone. Development for the purpose of a telecommunications facility is permissible with consent on any land pursuant to clause 115 of State Environmental Planning Policy (Infrastructure) 2007, despite the LEP prohibiting such development in Zone E2.

Assessment Timeline

The application has been notified to adjoining and adjacent landowners with the notification period concluding on 23 March 2018. At the time of drafting, no submissions from the public had been received.

The application shall be determined under delegated authority, unless it is requested by a Councillor that the application be determined by full Council.


Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au

ATTACHMENT 1 – SITE LOCATION
ATTACHMENT 2 – PLANS OF PROPOSED DEVELOPMENT
COUNCIL WEEKLY CIRCULAR

ITEM NO: 4

SUBJECT: DEVELOPMENT APPLICATION FOR SECTION 96 MODIFICATION DA TARCOOLA PARK, DOUGLAS ROAD, MOSS VALE

CONTACT NAME: Nick Wilton, Group Manager Planning Development and Regulatory Services

FILE NUMBER: 16/0720.05

The purpose of this Weekly Circular is to inform Councillors of a development application which sought consent to Modify DA 16/0720 at Tarcoola Park, Douglas Road, Moss Vale.

Site Description

The site is known as Lot 40 DP 1189246, being Tarcoola Park, Douglas Road, Moss Vale (Attachment 1). The site is located on the northern side of Douglas Road in the Moss Vale Enterprise Corridor and has a site area of approximately 67.5 hectares.

Background

On 12 August 2016, a development application was lodged by Common Ground Property Pty. Limited, which sought consent to construct a subdivision to create 11 industrial lots. Consent subject to conditions was granted on 19 December 2016.

A modification to the consent was approved on 23 March 2017. This modification involved amendments to conditions only.

Proposed Development

Modification DA16/0720.05 was lodged with Council requesting the stamping of approval on the submitted subdivision plan 1616 DA01 Issue B, Sheet 1 of 1. This plan was omitted at lodgement of the original DA but applies to all other plans lodged. All other plans still apply as per the original consent.

The previously approved subdivision plan of the proposal can be found at Attachment 2.

Permissibility

The site is zoned IN1 General Industrial under the Wingecarribee Local Environmental Plan 2010 and in this zone, subdivision is permissible with development consent. The provisions of LEP 2010 were addressed in the report dealing with the subdivision application. The proposed modification has no impact in terms of complying with the LEP 2010 requirements.

The proposed modification is essentially an administrative process.

Assessment Timeline

The application was not required to be neighbour notified under Council’s Community Engagement and Notification Policy.

The application was approved under delegated authority on 28 February 2018.

Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au
## COUNCIL WEEKLY CIRCULAR

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<td>SUBJECT:</td>
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<td>CONTACT NAME:</td>
<td>Nick Wilton, Group Manager Planning Development and Regulatory Services</td>
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<td>FILE NUMBER:</td>
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The purpose of this Weekly Circular is to inform Councillors of a development application which seeks consent to Boarding House at 2 Walker Street, Bowral.

### Site Description

The site is known as Lot 2 DP 625407, being 2 Walker Street, Bowral (Attachment 1).

The site is currently characterised by a converted dwelling operating as commercial office space for small consultancy businesses. Development on site comprises the former dwelling structure located at the front of the site, with a large metal shed located to the rear and a covered patio area behind the existing building.

The site is sparsely vegetated, with the former dwelling’s gardens largely removed to provide parking space for employees and clients on a gravelled hardstand area. Some perimeter vegetation remains around the extremities of the site that holds no significance.

The site has a shallow slope, with a rise of 3m from the street frontage up to the rear boundary of the property. The slope if gentle for the first 30m of the site, before becoming steeper towards the rear. The site has an overall area of 1,026m², is irregular in shape, with a street frontage of 15m and a rear boundary of 27m.

The surrounding development is characterised by a variety of land uses, indicative of a location within Bowral that is in transition. The site is immediately surrounded by commercial uses to the north (including medical centre and pathology uses), to the east and south by former dwellings converted to use as medical and professional suites and to the west by detached residential dwelling houses. In general, the northern end of Walker Street has a range of commercial uses, with the southern end of the street being predominately residential.

### Proposed Development

On 28 November 2017, 17/1679 was lodged with Council seeking consent to construct a 20 room Boarding House. Specifically, the application includes the following elements;

- Demolition of all existing structures on site
- Construction of boarding house containing:
  - Twenty (20) 1 bedroom self-contained units including integrated kitchenette and bathroom (one of which will be assigned to the on-site manager, three units will be accessible units);
  - Site manager’s office;
  - One communal lounge area; and
  - Lift.
• Parking for four (4) vehicles (one space of which will be designated as disabled parking) and four (4) motorcycles
• Sliding gate from Walker Street for vehicle access and a separate portico for pedestrian access
• Landscaping to remainder of site

Elevations and site plan of the proposal can be found at Attachment 2.

Permissibility

The site is zoned B4 – Mixed Use under the Wingecarribee Local Environmental Plan 2010 and in this zone, a Boarding House is permissible with development consent.

The application specifically seeks approval under the provisions contained within State Environmental Planning Policy (Affordable Rental Housing) 2009. Of particular note are the controls within the Wingecarribee LEP and Bowral Town DCP that do not apply to this form of development under this SEPP. These controls relate to:

• Density or scale: if the density or scale of the buildings when expressed as a FSR are not more than;
  o The existing FSR for any form of residential development on the land
• Building Height: if the application complies with controls within the LEP
• Landscaped area: if the landscape treatment of the front setback is compatible with the surrounding streetscape
• Solar Access: if the communal living room receives a minimum of 3 hours of direct sunlight between 9am and 3pm in mid-winter
• Private Open Space: if at least the following are provided;
  o An area of 20m², with a minimum dimension of 3m; and
  o An area of 8m², with a minimum dimension of 2.5m for use of the on-site manager.
• Parking: If located in an accessible area, at least 0.2 parking spaces per unit. An additional space for use by the on-site manager.
• Accommodation size: if each boarding room has a GFA of at least;
  o 12m² for a single lodger
  o 16m² in any other case

The SEPP defines an accessible area is being located within 800m walking distance of a public entrance to a railway station (irrespective of the frequency of service). The site is located at a distance of 650m from Bowral Train Station.

Car parking requirements under the provisions within the SEPP are significantly less than required by general development under the DCP. As discussed below, there are significant concerns from the community regarding this. The application is currently deficient by 2 parking spaces, which will be required to be addressed by the applicant.

Assessment Timeline

The application has been notified to adjoining and adjacent landowners with the notification period concluding on 2 March 2018. At the time of drafting, a total of 21 submissions have been received raising issues such as;

• Amount of car parking provided
• Traffic generation
• Social Impacts associated with potential tenants within Boarding House
• Loss of character within Walker Street
• Development not compatible with surrounding businesses
• Height not suitable for location
• Overshadowing impacts to surrounding properties
• Insufficient setbacks
- Lack of Landscaping
- Privacy impacts to surrounding development
- Lack of Communal Open Space
- Boarding house not an appropriate land use in the B4 zone
- Close proximity to Heritage Conservation Zone
- Distance of proposal from Bowral Train Station
- Reduction in property values in area
- Notification undertaken was not adequate
- Affordable Housing is not appropriate or required in Bowral
- The Southern Highlands is a tourist destination with this form of development detracting from this
- Concern that the application of the SEPP does not apply at this location
- Impacts to Visual Amenity

It should also be noted that a number of submissions have indicated that Council should make representations to the Minister of Planning to exclude Wingecarribee Shire from the operation of the State Environmental Planning Policy (Affordable Rental Housing) 2009.

These issues raised in the exhibition process will be addressed within the assessment of the application. Some aspects will require further information to be provided by the applicant following receipt of referral responses.

The application has been internally referred to Accredited Certifiers and Development Engineers. Comments from Development Engineers were received, which indicated further information would be required regarding the works with the sewerage infrastructure that traverses the site, design of driveway access, stormwater assessment undertaken and further detail of on-site detention of stormwater will occur.

The application has been externally referred to Water NSW. Comments from Water NSW were received, indicating that a Neutral or Beneficial effect to Water Quality could be achieved from the development.

The application has been called up to be determined by full Council at a future Council meeting.


Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au
ATTACHMENT 2 – PLANS OF PROPOSED DEVELOPMENT
COUNCIL WEEKLY CIRCULAR

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<tr>
<td>CONTACT NAME: Nick Wilton, Group Manager Planning Development and Regulatory Services</td>
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<tr>
<td>FILE NUMBER: 17/1822</td>
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The purpose of this Weekly Circular is to inform Councillors of a development application which seeks consent to Seniors Housing at 2-18 Centennial Road, Bowral.

Site Description

The site is known as Lots 1 – 2 DP 1101892 and Lots 4 – 11 DP 1109214, being 2-18 Centennial Road, Bowral (Attachment 1). The site was formerly owned by the Our Lady of the Sacred Heart organisation and is generally known as the OLSH site. The land is located on the north west side of the Bowral township urban area, approximately 400 metres north of Bowral Railway Station and the Wingecarribee Street railway bridge.

The site has a total site area of approximately 17 hectares comprising ten separate lots within two separate deposited plans. The site is bound to the north by Centennial Road and to east by Kirkham Road. The southern boundary mostly adjoins Mount Road and also shares a boundary with the rear of two properties which are accessed off Crago Lane (off Mount Road). The western boundary adjoins four lots, the majority of this boundary being shared with ‘Neerim’, a large heritage listed estate.

The land generally falls from west to east, with a general cross fall to the south east. Towards the centre of the site are the old existing school/convent buildings which have been erected on a benched platform, with the steep batter to the south east of the site down to Mittagong Creek that dissects the lower levels of the site.

The south east portion of the site is flood affected caused by the location of Mittagong Creek. The south west corner of the site contains vegetation consisting of the state and nationally listed Southern Highlands Shale Woodland (EEC).

The land is the subject of an Interim Heritage Order (IHO) gazetted on 19 January 2018.

Proposed Development

DA 17/1822 was lodged with Council as a concept development application under the provisions of section 83B of the Environmental Planning and Assessment Act 1979, seeking consent for Seniors Housing development, consisting of 135 free standing single level (self care) dwelling houses with double garages, supported by on site facilities and services located within a central building that is part of the adaptive reuse of existing buildings on site and partly a new purpose built building.

That part of the site zoned RE1 Public Recreation for the purpose of public recreation there is also landscaping and embellishment works to improve the riparian corridor along Mittagong Creek that will in due course be handed over to Council as public land.
Elevations and site plan of the proposal can be found at Attachment 2.

Permissibility

The site is principally zoned R5 Large Lot Residential with a minimum lot size of 4000m². A portion of the land along Mittagong Creek is zoned RE1 Public Recreation. The land is also listed as Item 4 in Schedule 1 Additional Permitted Uses of WLEP 2010 to enable development for the purposes of seniors housing.

Assessment Timeline

The application has been advertised and neighbour notified to adjoining and adjacent landowners. A total of 10 submissions have been received raising issues such as:

- The proposed development is unnecessarily intrusive in the local context;
- Is not in keeping with the character of the adjoining west Bowral residential zoning;
- Does not recognise or comply with the requirements of the Seniors Living SEPP, the WLEP 2010 or the Bowral Development Control Plan;
- The resolutions of Council on 22 November 2017 to seek approval of a Planning Proposal to delete clause 4 from Schedule 1 of the LEP reinforces the original intention of the LEP.
- There are 7 dwellings shown in the north-east corner of the site which are close to or encroach on the view corridor required by the DCP from the corner of Centennial and Kirkham Roads;
- Proposed residential density s in excess of permitted density on R5 zone – overdevelopment of the site;
- Traffic;
- Flooding;
- Ecology.

The application shall be determined by the Southern Joint Regional Planning Panel in accordance with the provisions of Section 23G and Schedule 4A of the Environmental Planning and Assessment Act 1979.


Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au
ATTACHMENT 1 – SITE LOCATION

Locality & Zoning Map

Aerial Photo
STREET ELEVATIONS
ELEVATIONS – SOUTH WEST
ELEVATIONS – NORTH WEST
ELEVATIONS – NORTH EAST
## COUNCIL WEEKLY CIRCULAR

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The purpose of this Weekly Circular is to inform Councillors of a development application which seeks consent to Multi Dwelling Housing (8 x 3 Bedroom Dwellings) at 19 – 21 Sheffield Road, Bowral.

### Site Description

The site is known as Lot G DP 21613 and Lot H DP 21613, being 19 – 21 Sheffield Road, Bowral (Attachment 1). The site is located approximately 800 metres south east of the Bowral business centre, within a precinct that is a mixture of single detached dwellings and medium density developments, and is directly opposite Loseby Park. The subject site is also within 100 metres of Bowral Hospital.

The site comprises two separate parcels, each of which currently accommodate a single dwelling house. Together they form a rectangular site with a frontage to Sheffield Street of approximately 34 metres. The total site area is approximately 2751m². Surrounding development is essentially single residential dwellings, although immediately adjoining to the north is a medium density development consisting of 6 dwellings.

Immediately west (to the rear) of the site are dwellings at 62 and 64 Bendooley Street which are listed as local heritage items under Schedule 5 of the WLEP 2010. The site adjoins the boundary of the Bowral Conservation Area.

### Proposed Development

DA 17/1713 was lodged with Council seeking consent for the construction of Multi Dwelling Housing (8 x 3 Bedroom Dwellings).

The proposal involves the demolition of one of the existing single dwelling houses (at 21 Sheffield Road), retention and renovation of the other existing single dwelling (19 Sheffield Road), and the erection of seven new two storey (3 bedroom) dwellings consisting of one standalone dwelling at the front of the site to maintain the rhythm of existing development on Sheffield Road and three pairs of dwellings in the rear half of the site.

Elevations and site plan of the proposal can be found at Attachment 2.

### Permissibility

The site is zoned R3 Medium Density Residential under the Wingecarribee Local Environmental Plan 2010 and in this zone, multi dwelling housing is permissible with development consent.
Assessment Timeline

The application has been advertised and a total of 1 submission has been received raising issues in relation to stormwater drainage and infrastructure and the placement of house number 5 on the stormwater easement, and overshadowing.

The application shall be determined under delegated authority, unless it is requested by a Councillor that the application be determined by full Council.


Should you require any further information, please contact Councillor.Request@wsc.nsw.gov.au
ATTACHMENT 1 – SITE LOCATION

LOCALITY & ZONING MAP

AERIAL MAP
SITE PLAN

ELEVATIONS – HOUSE 2
ELEVATIONS – HOUSES 5 & 6
ELEVATIONS – HOUSES 3 & 4
ELEVATIONS – HOUSES 7 & 8